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# POLITICAL SCANDAL AND THE POLITICS OF EXPOSURE: FROM WATERGATE TO LEWINSKY AND BEYOND

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*Abstract:* The paper advances an interpretation of political scandal and its place in democratic politics, taking the scandals of the 'Watergate era' in American politics as its evidential basis. The interpretation focuses on an aspect of political scandal that has been neglected in existing treatments, namely the politically constructed rather than epistemologically simple nature of scandalous 'exposure'. The career of the 'smoking gun' in the Watergate era provides illustration. The paper goes on to relate political scandal as both symptom and stimulus to trends in late-modern democratization concerning 'hyperpolitics' (political contestation at all stages of the decision-making process) and 'meta-information' (information about the providers of information). On this basis, the generalization of scandal politics as a typical mode of democratic politics is suggested.

*Keywords:* Hyperpolitics, Iran-Contra, Lewinsky, meta-information, political scandal, Watergate

## Introduction

This paper advances an interpretation of political scandal with two distinctive features. It focuses on an aspect of political scandal that has been neglected in existing analytical (and certainly in narrative) treatments, namely the politically constructed rather than epistemologically simple nature of 'exposure'. It develops this perspective by looking at American political scandal in the 'Watergate era'. It then considers how the mutation of political scandal is both an indication and a promoter of more general political-cultural changes in the 'late-modern' democracy of the United States and potentially in the democratization process more widely. This introduction will provide an outline of the argument and a justification of its choice of cases.

### *Outline of the Argument*

The study of political scandal is perhaps now less in need than formerly of defence against the claim that scandal is merely 'the froth on the political cappuccino' (Williams, 1998: 131). Both a certain broadening of the focus of political analysis under the influence, for example, of feminist and postmodern argument, and the sheer irresistible salience of political scandal as a political phenomenon in recent times have been responsible for this; the two factors coming together vividly in the case of the Lewinsky scandal.<sup>1</sup>

It is still necessary, however, to indicate what can and cannot be achieved by an interpretive and theoretical treatment such as the one advanced here. The project of a 'comparative scandology', complete with a full specification of causal variables and the operational definition of political scandal that is its necessary precondition, is not the aim of this paper (nor of the existing accounts it criticizes). Such a project – a worthwhile one in principle – faces serious challenges at the present state of knowledge and conceptual development. Large elements of contingency stand in the way of a systematic operationalization of the concept, making even counting the incidence of scandals problematic (Ridley, 1988: 297). For example, even the most substantial comparative effort to date (Markovits and Silverstein, 1988b) achieves what is still a far from systematic comparison at the cost of adopting a highly restricted definition of political scandal as stemming exclusively from 'violation of due process' (Markovits and Silverstein, 1988a: 7) – a rather arbitrary contraction of what can count as political, which itself is often contested in political scandal.<sup>2</sup> Juxtaposition of national cases can be suggestive, but often produces somewhat stereotypical theories of what various populations find shocking.<sup>3</sup>

The very mutability of political scandal suggests (apart from the obvious and still common response of narrative treatment, as for example in Dunn, 2000) an approach which links it to mutations in its political context, but this can only be done effectively with a conceptual specification of political scandal that points the investigator of the political context in the right direction. Existing analysis has not achieved this. It has stressed the centrality of 'exposure' in political scandal (deriving from the more general concept of scandal), but has thereby neglected the crucial feature of *political* scandal, which this paper suggests is the prolonged and contested process through which that exposure occurs and is made significant.

In the first part of the paper, this omission will be illustrated by a critique of two prominent theoretical-interpretive treatments of political scandal. These are worthy of note and of emulation for the manner in which they relate political scandal to general and important trends in democratic politics, but in taking for granted that 'exposure' or 'revelation' provides the conceptual core of political scandal they nevertheless overlook its most characteristically political feature.

This feature, the political construction of exposure, is examined empirically in



the second part, which looks at major American political scandals from Watergate to Monica Lewinsky. A metaphor that emerged from the Watergate case itself, the 'smoking gun', provides a useful focus for the examination. It expresses well the supposed epistemological simplicity of scandal 'exposure', and its career is therefore an apt focus for a demonstration that things are not in fact so simple (and have become progressively less so).

The third part contextualizes political scandal in terms of what can broadly be described as cultural accounts of the democratization process (as contrasted with institutional accounts of democracy as an achieved condition). It connects the political construction of exposure and its ramification over the period in question with arguments regarding 'hyperpolitics', 'cognitive mobilization' and 'reflexive modernization'. The paper concludes with a summary of its argument and some more speculative observations about the place of political scandal in American politics after Clinton.

### *Empirical Focus*

The United States is promising territory for an examination of political scandal for several reasons. While, as noted already, precise counts are difficult to achieve, clearly there is no shortage of cases. Historically speaking, one source-book (Schultz, 2000: 373–4) has suggested that only the presidency of William Henry Harrison (which lasted thirty days) has been free of them. But the focus of this paper is on more recent examples. A 'Watergate era' of major political scandals in the United States has been alluded to by numerous authors, who have used this label to evoke a common political-cultural environment (one of pervasive distrust, whether at mass or elite level, or in the media), a set of interconnections through political settling of scores, or a set of institutional responses to scandal that provide a distinctive context for its enactment. Containing both an unprecedented presidential resignation and a presidential impeachment with only one precedent, the 'era' certainly does not lack distinctive features, even if a claim of absolute novelty cannot be sustained.<sup>4</sup>

The Watergate era is of interest, however, not only as a period of major political scandals, but also for the evolution in the character of political scandal that its successive and interlinked cases reveal. This evolution is such, we will see, as to challenge existing theoretical accounts, the challenge reaching a maximum in the case of the Lewinsky scandal.

The United States is also an apt site for posing questions about the current trends and future prospects of democratization. To say this is not to take a position on the question of when (if at all) the U.S. 'achieved' democracy (by the 1830s, or not until the 1960s?), but is certainly to say that a number of significant aspects of the democratization process have emerged or been pioneered there. This is true, as Tocqueville was the first to note, not just of institutional but also

of political-cultural aspects of democratization, which are the ultimate focus of this paper.

### **The Political Significance of Political Scandal: Two Approaches**

Dictionaries define 'scandal' as 'an action or event regarded as morally or legally wrong and causing general outrage'; but the term can also refer to the 'outrage' alone, or to a state of affairs that could potentially, or should, cause outrage (*Oxford Dictionary of English*, second edn). Analysts of political scandal have taken their cue from this definition: 'Scandals lurk when morally transgressive private acts become public' (Lull and Hinerman, 1997: 8); 'We suggest that a scandal be understood as the publicization of a transgression of a social norm' (Apostolidis and Williams, 2004: 3). But in this case as in others the dictionary is a poor guide to the complexities of political analysis. The problem is to capture the specificity of *political* scandal. Any approach that stresses the exposure, revelation or making public of a disreputable act neglects the key feature of major political scandal: the prolonged contestation of exposure and of the establishment of transgression, in a process of political construction that itself is transformed in successive scandals. In this part, two such approaches will be discussed, selected for their ambitious theoretical scope, their prominence in the study of political scandal, and the fact that they differ quite widely except by virtue of their shared taking for granted of exposure.

#### ***Thompson's Thesis of Image and Risk***

Social theorist John B. Thompson in a recent book has extended his account of the social significance of the media (Thompson, 1995) to the case of political scandal, producing an ambitious theoretical analysis (Thompson, 2000). The book offers a wide-ranging discussion, but the central argument is well expressed by its subtitle, 'power and visibility in the media age'. Political power, Thompson suggests, is both expressed through and threatened by the 'visibility' that the media creates. The term 'visibility', however, also give a clue as to the book's own blind spot.

Defining political scandal as 'struggles over symbolic power where reputation and trust are at stake', Thompson (2000: 245) makes the historical argument that scandal was first made possible by the development of a 'media market' in the late eighteenth century. It facilitated 'a new ... type of event which involves the disclosure through the media of previously hidden and morally discreditable activities' (Thompson, 2000: 52). In the twentieth century, the electronic media additionally gave politicians the opportunity for 'an intimate form of self-presentation freed from the constraint of co-presence' (Thompson, 2000: 40). But with this opportunity comes risks, Thompson argues. Able, through radio and television, to simulate a personal relationship with the audience, politicians



unavoidably promote and license curiosity in private aspects of their lives – ‘back regions’, in the terminology Thompson borrows from Goffman (Thompson, 2000: 41). When these are exposed, reputations and trust are damaged.

In the media age, then, power brings visibility; and visibility is a way of enhancing power that also creates risks. Thompson’s theory can thus be seen as developing an otherwise neglected consequence of the image-based ‘candidate-centred politics’ that has been identified as central to present-day American electoral competition (Wattenberg, 1991). Thompson’s emphasis is, clearly, very much on the exposure that is inherent in this mode of politics. Upon exposure, a media ‘feeding frenzy’ occurs (in Larry Sabato’s much quoted expression, cited also by Thompson: Sabato, 2000), and political reputation and prospects are destroyed. Now, it is true that journalistic standards that previously served to validate a claim to objectivity (regarding for instance the use of sources or the criterion of ‘balance’) have been increasingly challenged in the Watergate era, particularly by and through the Lewinsky scandal. There, it has been argued, media ‘gatekeeping’ largely collapsed under pressure of ‘all Monica, all the time’ coverage (Williams and Delli Carpini, 2000). Intense media competition and compressed reporting cycles clearly affect the conditions for the production of political scandal, increasing the ‘exposure’ of politicians in the specific sense that some of the allegations produced more liberally in such conditions can turn out to be true (many, of course, also prove to be false, and thus not to be a matter of ‘exposure’ at all – which need not lessen their political impact: Sabato *et al.*, 2000; Kovach and Rosenstiel, 2000). Moreover, instances of the dynamic described by Thompson certainly exist, as in the case of Senator and presidential candidate Gary Hart, who in 1987 expressly challenged reporters to discover disreputable behaviour in his private life, a challenge which they easily and rapidly met (Sabato, 2000: 52, 78). Hart’s is a classic case of a politician taking a risk with his image.

But what has happened to the ‘political struggles’ that form part of Thompson’s definition of political scandal? In case like that of Hart, they are short lived: as in a real feeding frenzy, or in celebrity scandal, the victim is rapidly consumed. In contrast, many political scandals, and certainly the most important ones, while not lacking the intensity of a feeding frenzy, have a much more extended and complex structure in which the ‘moment’ of exposure is itself prolonged, constructed and contested (the claim is established empirically below). Terms such as ‘visibility’ and ‘exposure’ scarcely capture this possibility.

### ***Ginsberg and Shefter’s Thesis of Demobilizational Politics***

If Thompson (perhaps reflecting his disciplinary background) neglects the political contestation inherent in political scandal and as a result leaves the core



idea of exposure unexamined, political scientists Benjamin Ginsberg and Martin Shefter in their book *Politics by Other Means* (1999) avoid the first problem but not the second. Perhaps the most widely influential theory of political scandal, despite its confinement to the American setting, Ginsberg and Shefter's account is as its title suggests strongly focused on the political, and specifically partisan, use of political scandal. Indeed, it is the use rather than the nature of political scandal that is Ginsberg and Shefter's topic, and political scandal is only one of the 'other means' to which their thesis alludes.<sup>5</sup>

Ginsberg and Shefter describe the development, from the 1980s onward, of an 'institutional' and 'insulated' politics in which partisan elites seek to achieve political goals without significantly involving the mass electorate. The authors depict the major parties as 'entrenched' in different sectors of government. For instance, the welfare apparatus is occupied by the Democrats, and the military by the Republicans. Having acquired these institutional heartlands (in some cases ironically through mass mobilization such as occurred in the 1960s), the parties seek to protect them, and thus politics becomes defensive and oriented towards preservation of the status quo. In particular, politics by other means seeks to avoid potentially disruptive electoral mobilization. Political scandal operates, in this interpretation, as one means among several of stymieing opponents without the need of popular participation. A mechanism of 'revelation, investigation, prosecution' ('RIP', as the authors term it, implying an epitaph for participatory politics; Ginsberg and Shefter, 1999: 39–44) becomes a key political instrument, whose effectiveness lies largely in its negative capacity to thwart the incumbent's programme.

Other analysts who have highlighted the political use of scandal have taken a different view of its relationship to political participation. Williams (1998: 131) avers that in the context of policy and ideological convergence between the parties political scandals 'now seem to offer an important means of bringing individuals and parties together for political purposes', while Theodore Lowi (2004: 89), somewhat more critically, describes political scandal as 'a sub-optimizing, pathological form of political participation' that occurs 'mainly when one party has reached a pessimistic assessment of its electoral prospects'. But whether it be a form of participation, a strategy pursued by the current losers in participation, or an elitist avoidance of participation, political scandal is viewed in common by these writers as an effective political weapon. And in terms of its capacity to distract and derail, there is no doubt it can be.<sup>6</sup>

But a theory of the political use of political scandal is not the same as a theory of its political constitution. Construing scandal as a weapon in political conflict captures some of its specificity but not all of it, most obviously in Ginsberg and Shefter's case, where scandal is assimilated to other modes of 'institutional politics' (hence occupying only 33 of the book's 191 pages: 24–44, 144–8, 162–8). Despite similarities between political scandal and Ginsberg and Shefter's *other* 'other means', scandal is a particular kind of weapon, whose



effectiveness stems from the apparent directness and simplicity of the 'revelation' with which (for Ginsberg and Shefter as much as for Thompson) it supposedly begins. If such revelations did not attract a keen audience of at least armchair participants (something hardly true of some of Ginsberg and Shefter's 'other means' such as the line-item veto), they would lack their signal political effectiveness. But just this characteristic of 'accessibility' is what motivates intense political struggles to define, frame and establish the 'facts' crucial to political scandal. A focus on political use amply reveals politicians' motives for engaging in the pursuit of political scandal, but not the impact of that pursuit on the phenomenon itself.

### **The 'Smoking Gun' from Watergate to Lewinsky**

The purpose of this part is to demonstrate empirically that political scandal is characterized not by exposure but by the political construction of exposure; and moreover that in the course of the cycle of scandals from Watergate to Lewinsky this process of construction was *itself* cumulatively exposed, making political contestation more naked and unstoppable. It makes use of the metaphor of the 'smoking gun', which as an expression of the visible and incontrovertible proof that disreputable behaviour occurred, epitomizes the *assumption* of the epistemological simplicity of exposure. Its career, from Watergate to Lewinsky, in fact illustrates the erroneousness of that assumption.

The term originated, in its political application, in the Watergate investigation. It was Representative Barber Conable's description of a particular exchange recorded on one of the Oval Office tapes (Safire, 1993: s.v. 'smoking gun'). Here the metaphor, with all its simplicity and directness, seems at first sight to be quite warranted: the plotting of the cover-up had been captured on tape. There had previously been testimony to the same facts by John Dean, one of the architects of the cover-up. But what for some was compelling eyewitness proof of what had happened at a crucial Oval Office meeting, was for Republican Senator Edward Gurney merely 'an impression': 'there isn't a single shred of evidence that came out of this meeting' (quoted in Edwards and Potter, 1992: 45–6). The question of Nixon's involvement seemed to admit of no such ambiguity once the tape recordings were released. Indeed, their release, required by the Supreme Court in a decision of 24 July 1974, led rapidly to the dénouement: the proposal of articles of impeachment (27 July) and Nixon's resignation (8 August).

To be sure, the meaning even of a tape recording always has to be established; it is never utterly self-evident. As with the quotations from critics sometimes displayed on theatre marquees, some as yet unexamined further context may always change the interpretation we give to a recorded passage.<sup>7</sup> But in the context of Watergate, defence of the president on such a ground would have been almost universally deemed a sign of desperation. After the unexpurgated tapes were released, the only avenue for denial of Nixon's wrongdoing was to



represent it as 'politics as usual'. A long campaign to this effect has indeed been waged, as Michael Schudson documents, by Nixon's supporters, notably William Safire (Schudson, 1993: 70–4). But at the time this avenue was foreclosed by the way the issue had been framed politically. What made the tapes decisive was the posing of the question 'what did the president know and when did he know it?' by Senator Howard Baker at an earlier stage in the congressional hearings. Posing the question in this way, whatever motivated it, effectively meant that the outcome would hinge on the production of the smoking gun.

In Iran-Contra, the very same question was posed by Senator Baker, but this time with starkly different results. Neither incriminating eye-witness testimony nor documentary (still less tape-recorded) evidence was forthcoming to the joint congressional committee that investigated the case. Witnesses instead gave testimony that exculpated the president, while notorious 'shredding parties' destroyed relevant documents in advance of their being subpoenaed. Claims of poor memory on President Reagan's part were an effective contribution to the dissipation of the scandal. National Security Adviser Robert McFarlane testified that he had told Reagan about the arms deal. But at the time Reagan had been hospitalized and therefore may not have shown his normal level of alertness. Even a tape recording of this alleged conversation therefore might not have been decisive. The quality of the available evidence was further diminished by interference between the OIC and congressional investigations. Grants of immunity in exchange for testimony to the joint committee from key participants later proved fatal for prosecutions initiated by the Independent Counsel.<sup>8</sup>

While Watergate contributed the 'smoking gun', 'cover-up' and numerous other terms to political parlance (most obviously the suffix '-gate'),<sup>9</sup> 'plausible deniability' was the contribution of Iran-Contra. It has been defined as

a documentary practice through which parties to an event anticipate the possible historical significance of that event and use available records and recording practices to facilitate denials of their activities or a certain reading of those events should that record later come under hostile scrutiny. (Bogen and Lynch, 1989: 205)

If the smoking gun expresses the simplicity of exposure, plausible deniability expresses its politicized complexity. Moreover, the one leads directly to the other: lessons from Watergate were fed into the conduct of Iran-Contra by participants on both sides in a more self-conscious political construction of exposure. As a result, the demand for the smoking gun, so fateful for Nixon, was effectively exculpatory for Reagan.

The Clinton presidency has been characterized as 'postmodern', on the grounds of its alleged lack of an ideological or programmatic core and its resulting ultra-responsiveness to focus groups, opinion polls and political



exigencies (Miroff, 2000). The political scandals afflicting Clinton had a similar free-floating quality, forming a loosely connected and constantly mutating series which rather accidentally came to focus on the president's relationship with Monica Lewinsky. Investigations by Independent Counsel Kenneth Starr developed out of the initial Whitewater real-estate investigation via various adventitious leads, allegations and tip-offs. Of course, if it is difficult to say what the scandals were about, we are likely to find that the smoking gun is more elusive, if not illusory, than ever.

While in Watergate the appearance of the smoking gun surprised many, possibly including those who had demanded to see it, and in Iran-Contra its pursuit was doomed to failure, possibly by design, in the Lewinsky scandal the smoking gun is hard even to specify. In his notorious Report, Independent Counsel Starr went to exhaustive, repetitive and strangely hypnotic lengths to answer a question that few had thought of posing: whom did the president touch and where did he touch her?<sup>10</sup> The reason, of course, is that Starr himself had posed the question, in effect, at Clinton's deposition in the Paula Jones sexual harassment case, when the OIC already had knowledge of the Lewinsky relationship (Brock, 2002: 336). In consequence of Clinton's denial then of having had sexual relations with Lewinsky, the evidence detailed in the Starr report, which included the most sought-after totem of modern forensic practice, DNA evidence, constituted grounds for an allegation of perjury, and other procedural offences.

The attempts of the president's legal team to avoid these charges by contesting the meaning of 'sexual relations' (Kendall *et al.*, 1998: 500–10) vividly illustrate the claim that no evidence speaks for itself, no matter how apparently compelling. But these ingenious efforts could not be decisive, not only because Congress in its impeachment role is not much constrained by judicial norms regarding such 'technicalities', but also because of the egregious visibility of the political construction of the scandal. The effectively cast-iron evidence of Clinton's sexual activity had been made politically meaningful by a process of reframing that itself was so visible that it provided further grounds for contestation. A student of the independent counsel institution, Katy Harriger (2000: 224), has written: 'In cases like Iran-Contra, where the survival of the presidency appears to be in question, and therefore, where the political stakes in the outcome are quite high, it is naive to think that politics can be removed from the case'. The point applies *a fortiori* to the Whitewater/Lewinsky investigation, where there was intense scrutiny of the counsel, his political connections, his tactics (including alleged use of press leaks), and even of the supposedly impartial panel of federal judges that appointed him (Williams, 1999: 301–4). All these considerations left the resolution of the scandal free-floating, enabling it to occur on almost purely partisan terms in the House impeachment and Senate trial votes.<sup>11</sup>

The career of the smoking gun from Watergate to Lewinsky illustrates both



the political construction of exposure and the cumulative exposure of this constructive process itself. The latter is promoted by, and further promotes, the expanding scope of political contestation. While the political construction of exposure can certainly include epistemologically simple events such as 'cover-up', it is evident that both institutional elaboration and tactical learning from Watergate to Lewinsky have considerably complicated the process of exposure. Moreover, these developments have not occurred behind closed doors, but have themselves been fully contested as part of the developing scandal process. Most pointedly, the ultimate escape from politics, the OIC, has also been the centre of the most intense political contestation. Proposed as a secure mooring point in the currents of political competition, its foundations were inevitably scoured and dislodged by these very currents – a token of political-cultural processes in late-modern democratization to which the next part turns.

### **Political Scandal and Late-Modern Democratization**

The preceding part responded to the gap in extant theorizations of political scandal indicated in the first part by describing the political construction of political scandal during the Watergate era, its increasing exposure, and its consequently increased contestation. This part investigates anew the political significance of political scandal with these findings in mind, locating the development of political scandal within more general trends in democratic politics.

From the by-now familiar perspective of 'social construction' within the social sciences, the identification of political scandal as the result of the political construction of exposure may seem to be no surprise. In a wide-ranging discussion of social constructionism, philosopher Ian Hacking has noted that there is only point in talking about the social construction of *X* when 'In the present state of affairs, *X* is taken for granted; *X* appears to be inevitable'. If, on the other hand, 'everybody knows that *X* is the contingent product of social arrangements, there is no point in saying that it is socially constructed' (Hacking, 1999: 12). That what is scandalous varies across time and space already indicates, it could be argued, its constructed character. The present argument, however, goes beyond and is more specific than this claim, in two ways. It is, in the first place, the exposure element of political scandal that we have found to be constructed. Given the self-evidence that is built into the idea of exposure, and even more obviously into the metaphor of 'smoking gun' employed in political scandal, the present argument does indeed refer to an *X* that is 'taken for granted'.

In the second place, the term '*political* construction' has been used in the present discussion advisedly, and not just because of the political *location* of political scandal. An emphasis on location would be sufficient to ground the construal of the political found, for example, in Ginsberg and Shefter's demobilization thesis. The present argument has sought to go further, by show-



ing how politics is built into the specification of the scandalous. A political construction differs from a social construction in that powerful and contending political forces are more likely to expose and topicalize the constructive process itself. This paper has argued that the core element of political scandal, exposure, is politically constructed, but also that this construction has been progressively exposed and made controversial in a succession of major political scandals, culminating in the Lewinsky case and Clinton's impeachment.

While social constructionist 'debunking' of what are erroneously supposed to be 'natural kinds' (to use Hacking's term) characteristically point out the interests involved in the establishment of such pseudo-natural kinds (e.g. those of mental-health professionals in the social construction of schizophrenia), 'politics' is present in a more obvious fashion in the case of the political construction of scandalous exposure. In political construction, the problem arises more directly and immediately (not solely within academic circles, as in much social constructionist critique) of the capacity of the democratic political order to establish facts and their significance. Epistemology and politics collide.

The term 'hyperpolitics' has been coined to refer to the present state of interest-group contestation in the United States, where, despite relatively low levels of popular participation, competition is so intense and the stakes so high that there is a superabundance of information ('data smog', as it has been called: Shenk, 1997), making policy decisions increasingly difficult. Moreover, 'expert' information from think tanks and professional groups is increasingly pluralized and more nakedly politicized (Rich and Weaver, 1998), again compounding the difficulty of political decision: 'If all information is seen as interested, as just one more story, then how do decision-makers sort it all out?' (Cigler and Loomis, 1998: 401). The concept seems apposite in reference to the political construction of the Watergate-era scandals and its cumulative exposure. The fate of the OIC gives the most pointed illustration of the extension of hyperpolitics: supposedly an escape from politics, it was enmeshed in political scandal so deeply that some commentators have referred to the 'Clinton-Lewinsky-Starr affair' (Varon, 2004).

There are two general processes underpinning hyperpolitics: information abundance and diminishing trust in authorities. These, moreover, intersect, because one important kind of authority is the authority to produce facts. Information about the producers of information (about Kenneth Starr, for instance) – 'meta-information' – is a contributor both to information abundance and to the undermining of authority.

The same themes are invoked at a more general level in the idea of 'reflexive modernization' advanced by Ulrich Beck and others (Beck, 1992; Beck *et al.*, 1994). Beck offers an account of the declining authority of science in late-modern democratic society, describing two stages. In the first stage, lay people are confronted by experts, to whom they defer. Traditional sources of knowledge are replaced by modern scientific ones. In the second, 'reflexive', stage, the



scepticism towards tradition that science promotes is extended 'to the inherent foundations and external consequences of science itself' (Beck, 1992: 155). This happens because 'The *expansion* of science presupposes and conducts a *critique* of science' through the falsification of rival theories and the resulting accumulation of examples of erroneous scientific claims (Beck, 1992: 156, *italics in original*). In consequence, 'Demystification spreads to the demystifier and in so doing changes the conditions of demystification' (Beck, 1992: 156). Science, moreover, proliferates and diversifies, producing a 'hyper-complexity' in which, while clear evaluation rules may exist within specific research programmes, overall there is a 'heterogeneous supply of scientific interpretations', the choice between which cannot be systematized (Beck, 1992: 157).

Beck's hypercomplexity parallels hyperpolitics, exemplified in political scandal by the multiple and mutually interfering investigations of Iran-Contra and even more clearly by the multiple frames of interpretation of the Lewinsky scandal. And with the Watergate-era career of the smoking gun in mind, we can say, in terms precisely analogous to Beck's, that *exposure spreads to the exposé and in so doing changes the conditions of exposure*.

Increasing information abundance and distrust of authorities are characteristic features of late-modern democratization. They are indeed often regarded optimistically in this light, notably under the rubrics of 'cognitive mobilization' and 'deliberative democracy'. With abundant information and ever-increasing levels of education, it is claimed, people need to depend less and less on cognition-saving cues such as those provided by party leaders, experts and other authorities. Instead they have the intellectual resources and confidence to decide political questions for themselves – producing more volatile voting patterns – and to act outside established political frameworks – producing declines in party membership and identification and increased 'unconventional participation' (Dalton, 1996; Norris, 1999; Tarrow, 1998).<sup>12</sup> While taking a more critical view of current trends, the idea of 'deliberative democracy' also optimistically presumes that information abundance and reduced deference to authorities can give rise to an empowered and rationally deliberating citizenry.

Such optimism must wilt somewhat when it confronts the example of the Lewinsky scandal, which seems better to illustrate the potential of late-modern democratization to undermine policy-making capability and alienate the population. Some consolation has been found in the 'good sense' displayed by the American electorate in its response to the Lewinsky case (Scheuermann, 1999: 137, 139; Arato, 1999: 153). Popular indifference (which analysts have explained in a variety of ways)<sup>13</sup> is said to have provided the closure that authoritative political institutions could not. But the consolation may be slim, for two reasons. The same electorate also provided the audience and market for the most recent round of scandal production. Moreover, its collective voice had scarcely any impact on the relentless partisanship of the designedly most responsive of federal political institutions, the House of Representatives – which



impeached President Clinton less than seven weeks after the 1998 congressional elections.

### **Conclusion: Summary and Prognosis**

This paper has argued for an understanding of political scandal that discovers its specificity, compared to other kinds of scandal, in the political construction rather than the epistemological simplicity of exposure. The *idea* of exposure, in its taken-for-granted form, epitomized by the metaphor of the smoking gun, provides a strong motive for the political contestation that complicates exposure in practice. Thus, in a linked series of political scandals occurring within, and promoting, the context of information abundance and declining trust in authorities, the political construction of political scandal is itself progressively exposed.

Once exposed, the political construction of scandal cannot be concealed again: the injunction 'pay no attention to that man behind the curtain' is no more effective in politics than it was in *The Wizard of Oz*. However, the widely recognized excesses of political contestation that fuelled the Lewinsky scandal could perhaps be seen as exhausting the Watergate era. Notably, one of that period's key institutional components, the OIC, has been left since then in statutory abeyance.<sup>14</sup>

Yet the underlying conditions for the intensive contestation of political scandal have not disappeared. Information abundance grows continually, the internet in particular being ever more widely deployed in political struggle. This medium has the potential to facilitate popular self-organization and thus further democratization.<sup>15</sup> But it also imposes formidable demands on the consumer of information, to which two likely responses offer less pleasing prospects for democratization: the use of filtering to create for each information consumer a 'Daily Me' that provides only information and opinion compatible with existing commitments (Sunstein, 2001: 7, 12, 22), or a retreat into relativistic indifference on the hyperpolitical basis that deciding the matter is impossible.

Political scandal has not, in any case, gone away, as the examples of Enron and more recently Mark Foley show. Moreover, acknowledging the continued development of its underlying conditions, it may be that political scandal has become a less dramatic political paroxysm by virtue not of its disappearance but of its generalization as the normal mode of American politics. Controversies in which the authority to determine facts has been the central focus have been recurrent in American politics during the George W. Bush presidency, beginning indeed with *Bush v. Gore* itself. 9/11 no doubt diminished for a while the appetite for scandal and controversy, but soon provided a topic for further contestation around the production of information – as too did the case of the non-existent weapons of mass destruction in Iraq. These two cases illustrate how the exposure of the political construction of facts has extended to a setting previously



somewhat insulated from such exposure: the intelligence apparatus. In electoral politics, the 2004 presidential race was characterized by prolonged contestation of the facts of the candidates' biographies, notably that surrounding John Kerry's record as a 'swift boat' commander in Vietnam (Kellner, 2005: 120–6).

Critics on the left, such as Douglas Kellner and Noam Chomsky (Chomsky, 2000: 113), have suggested that generating a relativistic hyperpolitics that undermines decision and judgement is a deliberate strategy of the right.<sup>16</sup> If true, this would be a political irony, given that it is the liberal left in the United States that has often been charged by the right with promoting relativism. It is, however, unlikely, if this tactic were to be effective (as it seems to be), that its use could be confined to one side of the political spectrum. Moreover, the claim of bias in the conduct of hyperpolitics is in one respect beside the point. How is the claim that one side is systematically promoting a relativistic and hyper-political erosion of the authority to establish facts *itself* to be made politically effective without contributing to that very problem? The claim itself is a piece of meta-information, liable either to be filtered out or to contribute to the information cacophony.

Political scandal may therefore have lost some of its distinctiveness as a mode of political contestation since the Lewinsky scandal, but by generalization not by extinction. Political scandal is distinctive for its emphasis on exposure, which this paper has argued is precisely what drives the undermining of the capacity to validate exposure. In the politics of political scandal, the erosion of authority extends to the authority to produce facts. Political scandal assumes importance, then, by providing a window not into private actions or secret events, but into some of the basic processes and contradictions of late-modern democratic political life.

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### Notes

- <sup>1</sup> New topics and new ways of talking about them are exemplified by Miller (2001) and Lumby (2001).
- <sup>2</sup> A similarly narrow definition is proposed by Williams (1998: 7, citing Anthony King). Considering sex scandals involving political figures as 'political scandals by accident, not in essence' seems more obviously arbitrary after the experience of the Clinton presidency, whose rolling series of scandals mutated readily from one topic into another without thereby diminishing in political impact or analytical significance.
- <sup>3</sup> One may learn, for instance, that it is impossible to shock the French with revelations of sexual wrongdoing on the part of politicians (King, 1986; Morgan, 1988: 258), setting the allegedly moralistic political culture of the United States in sharper relief. Michael Schudson criticizes such arguments – not however without himself perpetrating some caricature of 'foreigners' incomprehension' of Watergate – in Schudson (1993: 159–63).
- <sup>4</sup> The closest analogue as a period of successive and interconnected political scandals is the Gilded Age of the late nineteenth century. Parallels meriting further investigation include the political use of scandal in congressional investigations (Calhoun, 1996: 187), and the role of a highly partisan press (McGerr, 1986: 14–22). But if the argument of this paper is correct, the parallels break down when we consider the prospects for a present-day analogue of the succeeding Progressive Era, with its political culture of objectivity, professionalism and managerialism – relevant aspects of which are described in Schudson (1978), Kaplan (2002) and Wiebe (1967).
- <sup>5</sup> Others include budgetary politics and the remanding of political issues to the Supreme Court.
- <sup>6</sup> Paul Quirk (2000: 123) says (though 'with some exaggeration') of the Lewinsky scandal that it 'squandered, before the impeachment, about one sixth of Clinton's second term' (i.e. the period from January to September 1998) and speculates that the value of congressional and presidential attention wasted ran to 'hundreds of billions of dollars'.
- <sup>7</sup> For an exploration of this issue in relation to a minor British political scandal involving a tape recording, see Edwards and Potter (1992: 54–76).
- <sup>8</sup> The convictions of John Poindexter and Oliver North were overturned on appeal on grounds of the tainting of evidence by the prior immunized testimony (Williams, 1995: 373–4).
- <sup>9</sup> *Safire's Political Dictionary* lists twelve or more such terms, according to Schudson (1993: 149).
- <sup>10</sup> The Starr Report's rhetorical strategies, repetition among them, are examined in Fadwa Malti-Douglas (2000).
- <sup>11</sup> 97.5 per cent of House Democrats voted against impeachment (averaging over the two out of four articles that were passed), with 96.2 per cent of Republicans in favour. In the Senate, averaging over the two articles brought for trial before it, 100 per cent of Democrats voted 'not guilty' and 86.4 per cent of Republicans voted 'guilty' [author's calculations].
- <sup>12</sup> Beck himself has stressed the emancipatory implications of reflexive modernization as it provides an escape from the authorities created by modernity, namely scientists, experts and professionals of all sorts (Beck, 1997); and see also Misztal (1996: 265–8).
- <sup>13</sup> Zaller (1998) argues that the favourable economic environment of the late 1990s mitigated electoral damage to the Democrats. Owen (2000) argues that voters regarded scandalous revelations as entertainment and therefore discounted them as politically important information. Lawrence and Bennett (2001) argue that voters discounted the scandal's political import largely on grounds of political judgements of character and motive.
- <sup>14</sup> Congressional re-authorization of the OIC was required every five years, according to a 'sunset clause' in the original statute. Authorization lapsed in 1992 after two renewals, but was restored in 1994. It was not renewed in 1999.
- <sup>15</sup> For this view, in effect an application of the cognitive mobilization thesis, see Bimber (2003).
- <sup>16</sup> A similar critique, focusing on the right-wing media, is the documentary film *Outfoxed: Rupert Murdoch's War on Journalism* (Greenwald, 2004).



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